



House of Representatives

General Assembly

File No. 292

January Session, 2013

House Bill No. 6384

House of Representatives, April 2, 2013

The Committee on Education reported through REP. FLEISCHMANN of the 18th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING ENGLISH LANGUAGE LEARNERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-76kk of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2013*):

3 (a) Any local or regional board of education identified by the
4 Department of Education that disproportionately and inappropriately
5 identifies (1) minority students, or (2) students whose primary
6 language is not English as requiring special education services because
7 such students have a reading deficiency in contravention of the
8 provisions of subparagraph (A) of subdivision (4) of subsection (a) of
9 section 10-76ff shall annually submit a report to the department on the
10 plan adopted by such board that reduces the misidentification of such
11 minority students by improving reading assessments and
12 interventions for students in kindergarten to grade three, inclusive.

13 (b) The Department of Education shall study the plans and
14 strategies used by a local or regional board of education that

15 demonstrate improvement in the reduction of the misidentification of
16 minority students requiring special education under this section. Such
17 study shall examine the correlation between improvements in teacher
18 training in the science of reading and the reduction in misidentification
19 of students requiring special education services.

20 (c) For purposes of this section, "minority students" means those
21 whose race is defined as other than white, or whose ethnicity is
22 defined as Hispanic or Latino by the federal Office of Management and
23 Budget for use by the Bureau of Census of the United States
24 Department of Commerce.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	July 1, 2013	10-76kk
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ED*Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 14 \$	FY 15 \$
Education, Dept.	GF - Cost	10,000	none

Municipal Impact:

Municipalities	Effect	FY 14 \$	FY 15 \$
Local and Regional School Districts	STATE MANDATE - Cost	1.6 million (statewide)	See below

Explanation

The bill will result in an estimated cost of \$1.6 million, in FY 14, to local and regional school districts (statewide) and a cost of approximately \$10,000 to the State Department of Education (SDE) in FY 14, associated with identifying students whose primary language is not English, as requiring special education services due to a reading deficiency.

Currently, both SDE and local and regional boards of education do not track data on a student's primary language, but rather the students dominant language.

Local and Regional Boards of Education:

There are approximately 75,000 students in Connecticut whose dominant language is not English. Approximately 30,000 of these students are identified as English Language Learners (their primary language is not English). Under the bill, districts would be responsible for establishing the primary language for the remaining 45,000

students. It is unclear to what extent the 45,000 are currently being evaluated for English language proficiency, but it is estimated that conducting an evaluation would cost approximately \$60 per student. If half of the 45,000 students required evaluations the cost to local and regional districts (statewide) could be \$1.35 million in FY 14. There will be on-going minimal costs to various local and regional school districts associated with evaluating new students.

Local and regional boards of education use a student information system to maintain information on the dominant language of their students. The provider of the database contracts with districts at an average per student price of \$4.50. In order to track primary language, the database provider would be required to update the database to accommodate the new requirement. It is anticipated that this could result in an additional cost to districts of up to fifty cents per student, or approximately \$250,000 for all students, statewide; this is anticipated to be an on-going cost.

State Department of Education:

SDE would be required to track data on student's primary language. This could result in a one-time cost of up to \$10,000 associated with developing the functional specification, and designing and developing changes to the database, as well as data validations. It is estimated that SDE would require 100 hours of an IT consultant at a rate of \$100.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**HB 6384*****AN ACT CONCERNING ENGLISH LANGUAGE LEARNERS.*****SUMMARY:**

By law, when the State Department of Education (SDE) informs a local or regional board of education that it disproportionately and inappropriately identifies minority students as needing special education due to a reading deficiency, the board must annually report to SDE on how it is reducing the misidentification. This bill extends these provisions to situations where SDE informs a board that it is misidentifying students whose primary language is not English (see COMMENT).

EFFECTIVE DATE: July 1, 2013

BACKGROUND***Board of Education Reduction Plans***

By law, SDE must study the plans and strategies used by local and regional boards of education to reduce the number of minority students misidentified as eligible for special education. The study determines whether a correlation exists between improvements in teacher training for reading instruction and a reduction in misidentified students.

COMMENT***Substantive Issue with Reporting Requirements***

While current law requires boards of education to report to SDE on plans to reduce misidentification of minority students for special education, the bill does not require reporting of plans for misidentified students whose primary language is not English. Also, the bill does not require SDE to study board plans for reducing misidentification of

students whose primary language is not English.

COMMITTEE ACTION

Education Committee

Joint Favorable

Yea 34 Nay 0 (03/13/2013)